S.B.Cr.Misc. Bail Appl. No.4490/2007

(Mohan Ram vs. State of Rajasthan)

Date of order : September 11, 2007

HON'BLE MR.H.R.PANWAR,J.

Dr. S.S.Jodha, for the petitioner.

Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

The petitioner is facing trial for the offence under section 19/54, Rajasthan Excise Act. The petitioner was granted bail but he failed to appear before the trial court. However, after having been arrested, he moved a bail application before the trial court, which came to be rejected by the trial court.

Learned counsel for the petitioner submits that if the petitioner is granted bail, he will continuously appear before the trial court on each and every date of hearing and whenever called upon to do so till the completion of the trial and will not repeat the bail jump.

Having considered the totality of facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and petitioner Mohan Ram s/o Kishna Ram be released on bail arising out of Cr. Case No.12/2003 pending before the Additional Chief Judicial Magistrate, Doongarpur provided he furnishes a personal bond in a sum of Rs.50,000/- with two sound and solvent sureties in the sum of Rs. 25,000/- to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

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